REMARKS

Claim Status

Claims 1 – 20 are pending in the present application. No additional claims fee is believed to be due. Claims 9 – 20 have been withdrawn as a result of an earlier restriction requirement. Claims 1, 6, 7 and 8 have been amended. Claim 5 has been canceled. It is believed these changes do not involve any introduction of new matter. Consequently, entry of these changes is believed to be in order and is respectfully requested.

Rejection Under 35 U.S.C. § 112, Second Paragraph

Claim 8 has been rejected under 35 U.S.C. § 112, Second Paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Office Action states that the "term 'semi-moist composition' in Claim 8 is a relative term which renders the claim indefinite." This rejection is not expressly agreed with or acquiesced to. Nevertheless, in an effort to gain timely allowance of the claims, Claim 8 has been amended to remove the term "semi-moist composition." Applicants respectfully request reconsideration and withdrawal of the rejection.

Rejection Under 35 U.S.C. § 102 Over Speights

Claims 1 – 3 have been rejected under 35 U.S.C. § 102 as being anticipated by Speights et al. (US Patent No. 4,987,124)("Speights"). Applicants respectfully traverse this rejection.

Speights discloses that a "method and composition for the inhibition of growth of Salmonella is provided." *Abstract*. Speights, however, fails to teach each and every element of the claims. Claim 1 is directed to, *inter alia*, a companion animal composition comprising from about 0.01% to 0.19% of short chain oligofructose, by weight of the composition, wherein the short chain oligofructose comprises 1-kestose, nystose, and 1F-beta-fructofuranosylnystose, and further comprising a fiber source additional to the short chain oligofructose. As best understood by Applicants, Speights fails to teach a companion animal composition comprising from about 0.01% to 0.19% of short chain oligofructose, by weight of the composition, wherein the short chain oligofructose